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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 SONOS, INC.,

17
18 Plaintiff,

19 vs.

20
21 GOOGLE LLC,

22 Defendant.

Case No. 3:20-cv-06754-WHA

Related to Case No. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN
SUPPORT OF GOOGLE LLC'S
OPPOSITION TO SONOS, INC.'S
MOTION FOR INJUNCTIVE RELIEF**

1 I, Jocelyn Ma, declare and state as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
3 practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing
4 Google LLC (“Google”) in this matter. I make this declaration in support of Google’s Opposition to
5 Sonos, Inc’s Motion for Injunctive Relief (Dkt. 820). If called as a witness, I could and would testify
6 competently to the information contained herein.

7 2. Below is a reproduction of Figure 13-S from the Opening Expert Report of Sonos’s
8 damages expert, Mr. James Malackowski, which summarizes the number of units of each accused
9 product sold from the start of the damages period through Q3 2022. As Figure 13-S shows, the total
10 number of infringing units sold in this period was 14,133,558.

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19 3. Based on the data shown in Figure 13-S, I summed the number of Google Home Mini,
20 Google Nest Mini, Chromecast, Chromecast Audio, Chromecast + Google TV, and Chromecast with
21 Google TV (HD) devices sold during this period for a total of [REDACTED] units. This constitutes
22 approximately 79% of the total infringing units sold.

23 4. Based on the data shown in Figure 13-S, I summed the number of Chromecast,
24 Chromecast Ultra, Chromecast + Google TV, and Chromecast with Google TV (HD) devices sold
25 during this period for a total of [REDACTED] units. This constitutes approximately 61% of the total
26 infringing units sold. The number of other products totaled to [REDACTED].

27 5. Based on the data shown in Figure 13-S, I summed the number of Google Home Hub,
28 Google Nest Hub Max, and Google Nest Audio devices sold during this period for a total of

1 2,408,499. This constitutes 43.5% of the [REDACTED] other devices sold that were not Chromecast,
2 Chromecast Ultra, Chromecast + Google TV, or Chromecast with Google TV (HD) devices.

3 6. Attached as Exhibit 1 is a true and correct copy of an article from Geek Wire entitled
4 “Amazon maintains big lead over Google and Apple in U.S. smart speaker market, new study says,”
5 available at [https://www.geekwire.com/2021/amazon-maintains-big-lead-google-apple-u-s-smart-](https://www.geekwire.com/2021/amazon-maintains-big-lead-google-apple-u-s-smart-speaker-market-new-study-says/)
6 [speaker-market-new-study-says/](https://www.geekwire.com/2021/amazon-maintains-big-lead-google-apple-u-s-smart-speaker-market-new-study-says/).

7 7. Attached as Exhibit 2 is a true and correct copy of excerpts from the Rebuttal Expert
8 Report Regarding Damages of W. Christopher Bakewell, dated January 13, 2023.

9 8. Attached as Exhibit 3 is a true and correct copy of an article from Forbes entitled
10 “Google's Chromecast A Brilliant Play For The Living Room -- Especially With \$35 Price Tag,”
11 available at [https://www.forbes.com/sites/jasonevangelho/2013/07/24/googles-chromecast-a-brilliant-](https://www.forbes.com/sites/jasonevangelho/2013/07/24/googles-chromecast-a-brilliant-play-for-the-living-room-especially-with-35-price-tag/?sh=1e6f07116f13)
12 [play-for-the-living-room-especially-with-35-price-tag/?sh=1e6f07116f13](https://www.forbes.com/sites/jasonevangelho/2013/07/24/googles-chromecast-a-brilliant-play-for-the-living-room-especially-with-35-price-tag/?sh=1e6f07116f13).

13 9. Attached as Exhibit 4 is a true and correct copy of an article from Android Guys
14 entitled “Chromecast (2nd gen) review: a worthy upgrade?,” available at
15 [https://www.androidguys.com/reviews/accessory-reviews/chromecast-2nd-gen-review-a-worthy-](https://www.androidguys.com/reviews/accessory-reviews/chromecast-2nd-gen-review-a-worthy-upgrade/)
16 [upgrade/](https://www.androidguys.com/reviews/accessory-reviews/chromecast-2nd-gen-review-a-worthy-upgrade/).

17 10. Attached as Exhibit 5 is a true and correct copy of an article from Tom's Guide entitled
18 “Google Chromecast (3rd Generation) review,” available at [https://www.tomsguide.com/us/google-](https://www.tomsguide.com/us/google-chromecast-3rd-generation,review-5843.html)
19 [chromecast-3rd-generation,review-5843.html](https://www.tomsguide.com/us/google-chromecast-3rd-generation,review-5843.html).

20 11. Attached as Exhibit 6 is a true and correct copy of an article from PCMag entitled
21 Google Chromecast Audio Review, available at [https://www.pcmag.com/reviews/google-chromecast-](https://www.pcmag.com/reviews/google-chromecast-audio)
22 [audio](https://www.pcmag.com/reviews/google-chromecast-audio).

23 12. Attached as Exhibit 7 is a true and correct copy of an article from Make Use Of entitled
24 “Google Home Mini v. Google Nest Mini: What Are the Differences?,” available at
25 <https://www.makeuseof.com/google-home-mini-nest-mini/>.

26 13. Attached as Exhibit 8 is a true and copy of an excerpt of the deposition testimony of
27 Tomer Shekel.

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ATTESTATION

I, Sean Pak, am the ECF user whose ID and password are being used to file the above Declaration. In compliance with Civil L.R. 5-1, I hereby attest that Jocelyn Ma has concurred in the aforementioned filing.

DATED: June 29, 2023

/s/ Sean Pak

Sean Pak